

MEMO ENDORSED

July 6, 2022

Via ECF

Hon. Hon. Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

USDC SDNY
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Re: Mathur v. Ethicon US, LLC et al.
21 Civ. 00367 (VEC)

Dear Judge Caproni:

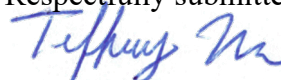
We write to request an adjournment of the pretrial conference currently scheduled for July 15, 2022 at 10:00 am, and an extension of the status report due this Friday as well. The parties jointly agree that a 30 day extension would bring much better clarity on remaining discovery disputes and/or assist the parties to settle the matter in its entirety.

We are available for the rescheduled conference on August 12th, or 26th or at the Court's availability on Fridays thereafter.

Since the court issued the January 6, 2022 Civil Case Management Plan and Scheduling Order, the parties have engaged in significant document exchanges. However, there are still remaining narrow areas of document production and ESI that the parties have been diligently working through since April 4, 2022. The parties agree that it would be beneficial to resolve these disputes and work on further production prior to depositions. If the matter is not settled in 30 days, the parties intend to ask for an adjournment of the end of fact discovery and utilize the discovery dispute procedures under Para. 3B in "Individual Practices in Civil Cases" to schedule a teleconference. The next rescheduled hearing could be utilized as an informal discovery dispute resolution hearing with your Honor as well if the matter is not settled. The parties also are working on settlement, with new proposals that were not discussed at the last two mediations. We expect to know by the end of the month if we are moving towards resolution and hence prepare us for a more focused conference in the rescheduled August date along with a more accurate and focused status report 7 days in advance.

Thank you very much for your consideration of this matter.

Respectfully submitted,



Tiffany Ma

cc: Jane Rigby, Esq. (via ECF)
Stephen Payerle, Esq. (via ECF)

Application DENIED. The pre-trial conference scheduled for July 15, 2022, will proceed as scheduled, on **Friday, July 15, 2022 at 10:00 a.m.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. Joint submissions are due by no later than **July 7, 2022**. At any time, the parties are welcome to request a referral to the Court's mediation program or to their assigned magistrate judge for settlement.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written over a horizontal line.

Date: 7/7/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE